## III. REMARKS

1. Claims 1, 4-6, 8-12, 14, 17-22, 24, 29-34, 36, 39-44 are amended. Claims 2, 13, 15, 27, and 37 are cancelled without prejudice.

2. The claims are amended to address the 35 U.S.C. §112, second paragraph rejections. Claims 8 and 9 have been amended to depend on claim 7 and provide antecedent basis for "the estimation".

Claims 4-6, 17-19, 29-31, and 39-41 have been amended so that the phrase "the level of noise" becomes "the level of noise in the estimate of the speech together with some noise".

3. Claims 1-45 are not anticipated by Pastor et al. ("Pastor") under 35 U.S.C. §102(e).

Claim 1 has been amended to include the feature that "the estimate of speech together with some noise is used to generate a noise reducing filter". Claim 1 had previously been amended to include the feature "the estimate of speech together with some noise is estimated to have a noise level lower than the noise level in the signal containing noise".

Corresponding changes have been made to the independent claims 14, 24, and 36 and to the dependent claims 20, 32, and 42.

Pastor does not anticipate Applicant's invention because Pastor does not disclose or suggest the feature of an estimate of speech together with some noise being used to generate a noise reducing filter. The disclosure of Pastor refers to a Wiener filter in equation (5) which is described according to spectral densities

representing the useful signal ($y_s$) and the parasitic noise ($y_x$).
The spectral density term $y_x$ represents all of the noise and does
not relate to some of the noise.

In the office action, the Examiner referred to block 3 of Figure
1. It should be noted that block 3 does not disclose an estimate
of "speech together with some noise" but instead relates to
estimation of the spectral density of the current signal frame an
for the computation of its energy. This is explained in column
4, lines 56-58. Estimation of the spectral density of the
current signal frame contains speech together with <u>all</u> noise in
the signal. This can be seen from the equation 6 where $y_u$
represents the spectral density of the observed signal that is
the sum of the spectral density of the useful signal $y_s$ and the
spectral density of the additive noise $y_x$. This is explained in
column 6, lines 2-16. This is different from making estimation
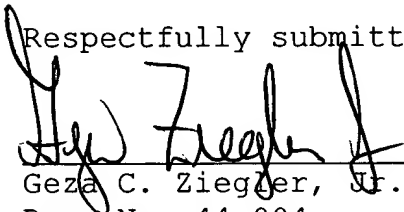of speech together with <u>some</u> noise.

The teaching of Pastor is clear and unambiguous: the Wiener
filter in equation (5) is described by spectral density of the
useful signal and spectral density of the parasitic noise.
Pastor does not disclose or suggest that "the estimate of speech
together with some noise is used to generate a noise reducing
filter", as recited in claim 1.

Therefore, claims 1, 14, 24, and 36 are not anticipated by Pastor
and should be allowable. The remaining claims should be
allowable at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

_____
Geza C. Ziegler, Jr.
Reg. No. 44,004

7 September 2005
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: Sept. 7, 2005         Signature: Meaghan Bay
                                        Person Making Deposit